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In re Application of
JENNEMAN et al.
Serial No.: 10/593,983
PCT No.: PCT/US05/13594
Int. Filing Date: 21 April 2005
Priority Date: 26 April 2004
Attorney's Docket No.: U 016480-4
For: INHIBITION OF BIOGENIC SULFIDE
PRODUCTION VIA BIOCIDE AND METABOLIC
INHIBITOR COMBINATION

DECISION ON SUBMISSION

This is a decision on applicant's "PETITION UNDER 37 CFR 1.182 FOR CHANGE OF INVENTOR NAME FROM INTERNATIONAL APPLICATION" in response to the Notification of Defective Response, filed in the United States Patent and Trademark Office (USPTO) on 07 March 2008. Applicant requests that the application reflect joint inventor Anne Greene's name change to Anne Hicks. The \$400 petition fee has been charged to applicant's deposit account per his authorization.

BACKGROUND

On 25 September 2006, applicant filed a Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (Form PTO 1390) along with, *inter alia*, the basic national fee.

On 24 May 2007, a Notification of Missing Requirements was mailed to applicant indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b) and the surcharge for filing the oath or declaration after the thirty-month period was required.

On 20 July 2007, applicant filed a response, accompanied by executed declarations and signed by the inventors.

On 27 September 2007, a decision was mailed to applicant indicating that declarations did not identify all inventors identified on the published international application: Gary Jenneman, Anne Greene and Gerrit Voordouw and failed to state the residency, citizenship and mailing address for all inventors. The declarations were individual declarations identifying only an individual inventor, with their respective residency, citizenship and mailing address. Thus, the declarations submitted on 20 July 2007 were unacceptable and did not meet the requirements of 37 CFR 1.497(a) and (b). Applicant was also advised that it appeared that inventor Anne Greene had changed her name to Anne Hicks and that a petition under 37 CFR 1.182 was required.

On 07 February 2008, a Notification of Defective Response was mailed to applicant indicating that the declarations were not in compliance with 37 CFR 1.497(a) and (b) and indicating Anne Greene's name change.

On 07 March 2008, applicant filed the instant petition under 37 CFR 1.182.

DISCUSSION

Applicant submitted a petition under 37 CFR 1.182 along with the statement of the inventor indicating that Anne Greene's name change to Anne Hicks was due to her marriage, providing sufficient evidence of her name change. The petition under 37 CFR 1.182 to change the inventor's name from Anne Greene to Anne Hicks is **GRANTED**.

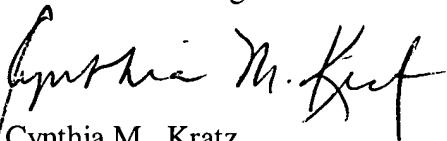
However, applicant did not provide newly executed declaration(s) which identified all inventors listed on the published international application. A newly executed declaration in compliance with 37 CFR 1.497(a) and (b) has not been provided. Therefore, the application is abandoned for failure to file a proper response to the Notification of Defective Response.

CONCLUSION

The petition under 37 CFR 1.182 to change the inventor's name from Anne Greene to Anne Hicks is **GRANTED**.

For the reasons set forth above, the application is **ABANDONED**.

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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